

By: Shaheen

H.B. No. 1228

A BILL TO BE ENTITLED

AN ACT

relating to political subdivision regulations, including zoning rules, concerning the cultivation, production, dispensing, or possession of low-THC cannabis.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 487.201, Health and Safety Code, is amended to read as follows:

Sec. 487.201. POLITICAL SUBDIVISION REGULATIONS CONCERNING
~~[COUNTIES AND MUNICIPALITIES MAY NOT PROHIBIT]~~ LOW-THC CANNABIS.

(a) Subject to Subsection (b), a municipality, county, or other political subdivision may enact:

(1) reasonable zoning rules that limit the use of land for dispensing organizations or the cultivation or production of low-THC cannabis to specified areas; and

(2) ordinances, orders, or other rules that regulate the time, place, and manner of dispensing organization operations.

(b) A municipality, county, or other political subdivision may not enact, adopt, or enforce a rule, ordinance, order, resolution, or other regulation that prohibits or has the effect of prohibiting the cultivation, production, dispensing, or possession of low-THC cannabis, as authorized by this chapter.

(c) A rule, ordinance, order, resolution, or other regulation that violates this section is void and unenforceable.

SECTION 2. Section 487.201, Health and Safety Code, as

1 amended by this Act, applies to a rule, ordinance, order,
2 resolution, or other regulation adopted before, on, or after the
3 effective date of this Act.

4 SECTION 3. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2019.